

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MASSACHUSETTS

Case No. 23-40709-CJP

Chapter 7

In re:

WESTBOROUGH SPE LLC

TOWN OF WESTBOROUGH'S  
DESIGNATION OF ADDITIONAL  
ITEMS FOR APPELLATE RECORD

Pursuant to Fed. R. Bankr. P. 8009(a)(2), Appellee Town of Westborough ("Town") hereby designates the following additional items to be included in the record of the appeal filed by Lolonyon Akouete from the Court's Order denying Mr. Akouete's renewed Motion for Interim Distribution (Doc. No. 204), which appeal has been docketed as 1st Cir. BAP No. 24-16:<sup>1</sup>

- Doc. No. 92 – Motion for Interim Distribution of Lolonyon Akouete
- Doc. No. 99 – Request for Expedited Determination filed by Lolonyon Akouete
- Doc. No. 113 – Town of Westborough's Opposition to Motions for Interim Distribution
- Doc. No. 114 – Order Denying Motion for Interim Distribution of Lolonyon Akouete

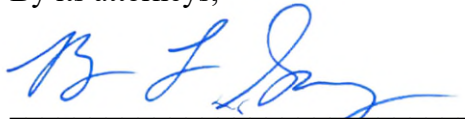
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<sup>1</sup> The Town makes this designation out of abundance of caution and without waiving the right to move to dismiss the appeal, which does not appear to be taken from a final order. See Ritzen Group, Inc. v. Jackson Masonry, LLC, 589 U.S. —, 140 S. Ct. 582, 586 (2020) ("Orders in bankruptcy cases qualify as 'final' when they definitively dispose of discrete disputes within the overarching bankruptcy case.").

Respectfully submitted,

TOWN OF WESTBOROUGH,

By its attorneys,



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Dated: August 8, 2024

934753/WBOR/0049

CERTIFICATE OF SERVICE

I, Roger L. Smerage, hereby certify that on the below date, I caused a copy of the foregoing Designation to be served through the Court's CM/ECF system to the following counsel of record or by U.S. mail to the following unregistered parties:

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Dated: August 8, 2024

  
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Roger L. Smerage